

Zoning Board of Appeals Minutes 07/23/2014

MASHPEE ZONING BOARD OF APPEALS JULY 23, 2014 MEETING MINUTES

The Mashpee Zoning Board of Appeals held Public Hearings on Wednesday, July 23, 2014, at 6:00 p.m. in the Waquoit Room at the Mashpee Town Hall, 16 Great Neck Road North. The following Board Members were present and acting throughout, Chairman, Jonathan D. Furbush, Vice Chairman, William A. Blaisdell, Clerk, Ronald Bonvie, Board Members, James Reiffarth and Richard Jodka, Associate Members Domingo K. DeBarros and Scott Goldstein. Also present was Building Commissioner, Michael Mendoza.

PLEDGE OF ALLEGIANCE

Jonathan Furbush, Chairman opened the meeting at 6:00 p.m. and announced the meeting was being televised live on local Mashpee television. He introduced the new Building Commissioner, Michael Mendoza to the Board and announced that Richard Morgan is now Deputy Building Commissioner.

NEW HEARINGS

Kimberly A. Landry: Requests a Written Finding under Article V §174-17 of the Zoning By-laws and M.G.L. Chapter 40A §6 concerning continuance, extension, or alteration of a pre-existing, non-conforming structure to allow for construction of an above ground pool on property located in an R-5 Zoning District at 44 Pequot Road, (Map 29 Parcel 99), Mashpee, MA.

Mr. Furbush read a letter into the record dated July 23, 2014 from Kimberly A. Landry, Petitioner stating she respectfully requests her hearing be continued to September 10, 2014 so she can provide the Board with additional information.

Mr. Furbush made a motion to accept the request of continuance until September 10, 2014, yes, Bill Blaisdell, seconded, yes, Mr. Bonvie, yes, Mr. Reiffarth, yes, Mr. Jodka, yes, Mr. Goldstein, yes, and Mr. DeBarros, yes. All were in favor.

OTHER BUSINESS

Seventeen Cape Drive, LLC: Requests a minor modification to the Special Permit (SP-06-11) to add an exterior stairway to connect the lower office area to the upper office area.

Penny Smith, and her associate, Keith Shaw of Delphi Construction and Professional Construction Managers presented their proposal. Penny stated she had met with the Design/Review Committee who requested she present plans and a proposal in front of the Zoning Board of Appeals as part of the Special Permit. The building is located at 17 Cape Drive and the plans depict the added square footage, percentage of the existing space, photos of the existing building, and the areas of the proposed stairway construction, and landscaping that will be filled in after completion.

Scott Goldstein asked if the stairway is a second means of egress. Mr. Shaw said; "yes", an interior access stairway. There is currently a connection of the first floor to the second floor on the interior, but there is no lower level to first floor connection and will be enclosed.

Mr. Bonvie asked about the setbacks. Mr. Shaw stated there is 13 feet from the required setback, and will only require approximately 5 feet, leaving 8 feet well within the minimum setback with the addition. The Building Department does have a new site plan.

Mr. Mendoza asked if the stairway will be a second means of egress and not a primary. Mr. Shaw stated they are creating access between the lower level and the first floor to connect the two suites on the inside; the rear of the building has a walk-out. His office occupies the lower level, a tenant occupies the top floor and half of the first floor, and wants to connect the two. The lower level walk out and first floor are handicapped accessible.

Mr. Bonvie made a motion to issue Seventeen Cape Drive, LLC, a minor modification to the Special Permit SP-06-11, to connect the

lower level and the first floor. The motion is contingent upon approval by the Building Commissioner of all zoning. Referencing plans submitted by BF Architects, Bill Fornaciari Architects, Inc., 34 Main St., Ste. 203, Plymouth, MA 02360, numbered: A-0 through A-8, Project Title: 17 Cape Drive, Mashpee, MA, dated May 6, 2014. Bill Blaisdell, seconded, yes, Mr. Furbush, yes, Mr. Reiffarth, yes, Mr. Jodka, yes, Mr. Goldstein, yes, and Mr. DeBarros, yes. All were in favor.

Mashpee Commons: To discuss additional parking along the green of Jobs Fishing Road.

Mr. Bonvie asked the Board if he could abstain from this discussion.

Mr. Furbush wanted to confirm the original Comprehensive Permit parking plans on the Northeast side. He also wanted to confirm there are no significant changes in the green space.

John Connell and Tom Feronti of Mashpee Commons presented a drawing depicting additional parking at the intersection of Market Street Extension and Jobs Fishing Road. John stated the plan maintains the curved line, but cutting into the green space supplying 16 additional parking spaces. The width of the parking spaces will be 8 feet, 10 feet wide for each travel lane, for a total of 20 feet.

Mr. Connell wanted to confirm the updated parking proposal is a minor modification and will submit an official plot plan to depict the updated parking prior and returning in front of the Board.

Tom Feronti stated he wants to focus mainly on the Phase 1 area, of the Jobs neighborhood to the North. The original permit depicted 149 parking spaces in the Jobs neighborhood and with the reorganization of buildings and additional off street parking there will be 171 parking spaces; not including these additional 16 spaces on the South side. There's a demand for 128 spaces.

Mr. Reiffarth wanted to know what buildings are proposed in the green space. Mr. Connell confirmed there is no construction planned in this green space.

Mr. Mendoza stated he will be looking for the required handicapped parking on the updated plans. Tom will highlight the updated plans depicting the required handicapped parking spaces.

Approve July 9, 2014 Meeting Minutes

Mr. DeBarros made a motion to approve the July 9, 2014 meeting minutes, yes, Mr. Jodka seconded, yes, Mr. Furbush yes, Mr. Blaisdell, yes, Mr. Reiffarth, yes, Mr. Goldstein, yes. All were in favor.

Mr. Mendoza stated his door is open and would like to assist the members in any way he can. He has 25 year experience in commercial and residential construction.

Mr. Reiffarth made a motion to adjourn, Mr. Blaisdell, seconded, yes, Mr. Furbush, yes, Mr. Jodka, yes, Mr. Goldstein, yes, and Mr. DeBarros, yes. All were in favor.

Respectfully submitted,

Mary Ann Romero
Zoning Board of Appeals